UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

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Employer

and

CYNTHIA M. CUMMINGS

Case 14-UD-073216

Petitioner

and

LABORERS' INTERNATIONAL UNION OF NORTH AMERICA, LOCAL 509

Union

DECISION AND CERTIFICATION OF RESULTS OF ELECTION

The National Labor Relations Board has considered objections to an election held February 23, 2012, and the hearing officer's report recommending disposition of them. The election was conducted pursuant to a Stipulated Election Agreement. The tally of ballots shows 485 eligible voters, with 194 ballots cast in favor of withdrawing the authority of the bargaining representative to require, under its agreement with the Employer, that employees make certain lawful payments to the Union in order to retain their jobs, 118 ballots cast against the proposition, and 4 void ballots. There were no challenged ballots.

No exceptions have been filed to the hearing officer's report within the time provided.

Accordingly, the Board adopts the hearing officer's findings and recommendations, and finds that a certification of results of election should be issued.

CERTIFICATION OF RESULTS OF ELECTION

IT IS CERTIFIED that a majority of the employees eligible to vote have not voted to withdraw the authority of Laborers' International Union of North America, Local 509, to require, under its agreement with the Employer, that employees make certain payments to the Union in order to retain their jobs, in conformity with Section 8(a)(3) of the Act, as amended.

Dated, Washington, D.C., May 15, 2012.

By direction of the Board:

Henry S. Breiteneicher

Associate Executive Secretary